

Revisions: HCFA-PM-94-1 (MB)
FEBRUARY 1994

State/Territory: STATE OF HAWAII

Citation:

4.22 Third Party Liability

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| 42 CFR 433.137 | (a) The Medicaid agency meets all requirements of: |
| | (1) 42 CFR 433.138 and 433.139. |
| | (2) 42 CFR 433.145 through 433.148. |
| | (3) 42 CFR 433.151 through 433.154. |
| 1902(a)(25)(H) and (I)
of the Act. | (4) Sections 1902(a)(25)(H) and (I) of the
Act. |
| 42 CFR 433.138(f) | (b) <u>Attachment 4.22-A</u> - - |
| | (1) Specifies the frequency with which the
data exchanges required in §433.138(d)(1),
(d)(3), and (d)(4) and the diagnosis and
trauma code edits required in §433.138 (e)
are conducted; |
| 42 CFR 433.138(g)(1)(ii)
and (2)(ii) | (2) Describes the methods the agency uses for
meeting the followup requirements
contained in §433.138(g)(1)(i) and
(g)(2)(i); |
| 42 CFR 433.138(g)(3)(i)
and (iii) | (3) Describes the methods the agency uses for
following up on information obtained
through the State motor vehicle accident
report file data exchange required under
§433.138(d)(4)(ii) and specifies the time
frames for incorporation into the
eligibility case file and into its third
party data base and third party recovery
unit of all information obtained through
the followup that identifies legally
liable third party resources; and |
| 42 CFR 433.138(g)(4)(i)
through (iii) | (4) Describes the methods the agency uses for
following up on paid claims identified
under §433.138(e) (methods include a
procedure for periodically identifying
those trauma codes that yield the highest
third party collections and giving
priority to following up on those codes)
and specifies the time frames for
incorporation into the eligibility case
file and into its third party data base
and third party recovery unit of all
information obtained through the followup
that identifies legally liable third party
resources. |

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- 42 CFR 433.139(b)(3) x (c) Providers are required to bill liable third parties when services covered under the plan are furnished to an individual on whose behalf child support enforcement is being carried out by the State IV-D agency.
- (ii)(A)
- (d) Attachment 4.22-B specifies the following:
- 42 CFR 433.139(b)(3)(ii)(C) (1) The method used in determining a provider's compliance with the third party billing requirements at §433.139(b)(3)(ii)(C).
- 42 CFR 433.139(f)(2) (2) The threshold amount or other guideline used in determining whether to seek recovery of reimbursement from a liable third party, or the process by which the agency determines that seeking recovery of reimbursement would not be cost effective.
- 42 CFR 433.139(f)(3) (3) The dollar amount or time period the State uses to accumulate billings from a particular liable third party in making the decision to seek recovery of reimbursement.
- 42 CFR 447.20 (e) The Medicaid agency ensures that the provider furnishing a service for which a third party is liable follows the restrictions specified in 42 CFR 447.20.

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4.22 (continued)

42 CFR 433.151(a) (f) The Medicaid agency has written cooperative agreements for the enforcement of rights to and collection of third party benefits assigned to the State as a condition of eligibility for medical assistance with the following: (Check as appropriate.)

☒ State Title IV-D agency. The requirements of 42 CFR 433.152(b) are met.

☐ Other appropriate State agency(s) - -

☐ Other appropriate agency(s) of another State - -

☐ Courts and law enforcement officials.

1902(a)(60) of the Act (g) The Medicaid agency assures that the State has in effect the laws relating to medical child support under section 1908 of the Act.

1906 of the Act (h) The Medicaid agency specifies the guidelines used in determining the cost effectiveness of an employer-based group health plan by selecting one of the following.

☐ The Secretary's method as provided in the State Medicaid Manual, Section 3910.

☒ The State provides methods for determining cost effectiveness on Attachment 4.22-C.

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